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April 01, 2008

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UTAH DIVISION OF  
SOLID & HAZARDOUS WASTE  
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McWANE,  
INC.  
POST OFFICE  
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ALABAMA  
35243  
(205) 414-3100  
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Mr. Dennis R. Downs  
Executive Secretary  
Utah Solid & Hazardous Waste Control Board  
P.O. Box 144880  
Salt Lake City, UT 84114-4880

CHARLES F. NOWLIN  
SENIOR VICE PRESIDENT  
AND CHIEF FINANCIAL OFFICER

RE: Financial Assurance Test

Dear Mr. Downs:

I have enclosed the 2007 Financial Audit Report as referenced in my earlier letter. Be advised that McWane is submitting this information under a claim that it is Confidential Business Information (CBI), exempt from disclosure under Utah Code Sections 63-2-308 and the Freedom of Information Act, 5 U.S.C. § 552(b)(4), and that unauthorized disclosure of this information will subject agency employees to criminal penalties under the Trade Secrets Act, 18 U.S.C. § 1905.

McWane continues to request CBI status for all information pertaining to McWane's financial condition. McWane, as a closely-held company, is not required to disclose this financial information, and takes, and intends to continue to take, all reasonable measures to protect its confidentiality. It is made available only to upper echelon corporate officers, directors, and other employees who obtain access only on a need-to-know basis. This information is not, and has not been, obtainable by legitimate means without the consent of McWane.

If you have any questions please give me a call.

Sincerely,



Charles F. Nowlin

Enclosures